

10, 12, 14, 15, and 19. A separate attachment entitled "Version with Markings to Show Changes Made" is enclosed.

**2. Objections to the Specification**

The Specification was amended to correct the informalities noted in the Office Action and other informalities. No new matter has been added.

**3. Claim Rejections Under 35 U.S.C. §112**

Claims 12 and 14 were rejected under 35 U.S.C. §112, second paragraph. The Office Action provided that these claims refer to a wall, but the wall has not been claimed. Claims 12 and 14 have been amended to positively recite the wall. Removal of these rejections is respectfully requested.

**4. Claim Rejections Under 35 U.S.C. §102**

Claims 1-3 and 6 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,285,551 to Tschanz ("Tschanz"). Claim 1 was amended herein to clarify that the cable support apparatus has a head portion that has a first surface that is integrally attached to a body portion and a second surface that is opposite to the first surface and which has at least two installation holes therein. Claim 2 has been cancelled without prejudice and disclaimer.

Applicant submits that Tschanz at least lacks the installation holes in a second surface that is opposite from the first surface to which the body is attached. Therefore, Tschanz cannot anticipate claim 1 or the claims that depend from claim 1.

Claims 1 and 6 were also rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,983,598 to Rosan, Sr. et al. ("Rosan, Sr. et al."). Rosan, Sr. et al. fails to

teach the inclusion of at least two installation holes in second surface of a head portion which is opposite a first surface of the head portion which is integrally attached to the body portion of the bushing. Accordingly, Rosan, Sr. et al. cannot anticipate claim 1 or the claims that depend from claim 1.

## **5. Claim Rejections Under 35 U.S.C. §103**

Claims 2, 4, 5 and 10-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Rosan, Sr. et al. in view of U.S. Patent No. 3,073,206 to Rudolph (“Rudolph”). Claim 2 has been canceled. Claims 4 and 5 depend from claim 1. As was discussed above, Rosan, Sr. et al. at least lacks installation holes in a second surface that is opposite from the first surface to which the body is attached. Rudolph at least lacks a head portion that has a first surface that is integrally attached to the body portion. As will be discussed in further detail below, Applicant respectfully submits that there are several reasons why the subject matters of the above-mentioned claims are not obvious over Rosan, Sr. et al. in view of Rudolph.

### **a. There is No Motivation to Combine**

The Manual of Patent Examining Procedure (“MPEP”) provides that “[t]he mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination.” MPEP § 2143.01 (emphasis in original). In the present case, Applicant submits that there is no motivation, absent that taught in Applicant’s disclosure, that would have led the skilled artisan to combine the teachings Rudolph and Rosan, Sr. et al. because they disclose fundamentally different devices.

Rosan, Sr. et al. discloses a self-boring bushing device adapted to provide a passage through a structure such as a wall. Abstract of Rosan, Sr. et al. It is an object of the Rosan, Sr. et al. device to provide “a self-boring bushing that can – once installed-be adapted to receive various components therethrough other than electrical conduits and cables.” Column 2, lines 25-28 of Rosan, Sr. et al.. Presumably, after the Rosan, Sr. et al. bushing is installed and the component (i.e., conduit) is inserted through the bushing, it is not contemplated that the bushing would be removed and reinstalled numerous times such that the bushing would become too worn to effectively mate with an installation tool (i.e., a common wrench).

Conversely, Rudolph discloses cap screws with replaceable inserts. These devices are fasteners that are designed to be removed; they do not support components such as conduits and the like. In fact, Applicant cannot comprehend how the Rudolph inserts could be used on a fastener that has a conduit or other component protruding through the fastener head as shown in Figure 5 of Rudolph. Rudolph provides that:

It is an object of the present invention to provide useful novel improvements in cap screws of the type mentioned above, whereby the screws may **be readily removed** from their seats regardless of the condition or state of wear of the sockets therein, and whereby when the socket in a screw has been far worn its life may be renewed without having to discard it in favor of a new screw.

Column 1, lines 20-26 of Rudolph (emphasis added). Rudolph further provides that “when such an improved screw cannot be removed because of its worn socket, the insert containing a socket can be replaced by one with a new socket and hence the screw may readily be removed.” Column 1, lines 33-37 of Rudolph. Thus, Rudolph is concerned with socket screws that become worn from tools during installation and removal. This is fundamentally different from a bushing that is installed to support a conduit and likely never removed or infrequently removed. There is no teaching in either of these references that would have led a

person of ordinary skill in the art to combine these patents to achieve the subject matters of the above-mentioned claims.

**b. Rudolph and Rosan, Sr. et al. Teach Away From Each Other**

The MPEP further provides that “[w]here the teachings of the prior art conflict, the examiner must weigh the suggestive power of the each reference.” *Id.* Rosan teaches that the self boring bushing device is designed to be installed without the need for special tools.

Notably Rosan, Sr. et al. provides:

The present invention **has for an important object** a provision wherein a passage for communicating through a structure, particularly a wall, can be simply formed by a self-boring bushing - **without the need for special operating tools.**

Column 2, lines 14-18 of Rosan, Sr. et al. (emphasis added). Rosan, Sr. et al. further provides:

...the present invention has been provided wherein the self-boring bushing 10 comprises a stud-like body 14 having a multi-sided head 16, herein shown as having a hexagonal configuration. Thus, **any suitable wrench or wrench socket can be accommodated thereby.**

Column 3, lines 8-14 of Rosan, Sr. et al. (emphasis added). Conversely, a special adapter tool is required to apply the hood of Rudolph. See column 2, lines 29-42 of Rudolph. Thus, a special adapter that has pins suitable for mating with holes in the hood member must be carried by the installer to use the Rudolph fastener arrangement. Applicant submits that the requirement of such a special adapter clearly teaches away from a device that has as an “important object” the ability to be installed “without the need for special operating tools”.

**c. The Proposed Modification to Rosan, Sr. et al. Destroys an Important Object of the Rosan, Sr. et al. Bushing**

As was discussed above, Rosan, Sr. et al. teaches that it is an important object of the bushing disclosed therein to be installed without the need for special operating tools. If one were to incorporate the teachings of Rudolph into the bushing of Rosan, Sr. et al., a special adapter would be required. Such arrangement would destroy the important objective of Rosan, Sr. et al.

The MPEP provides that “[I]f [the] proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification.” *Id.* Accordingly, Applicant submits that there is no teaching to combine Rudolph and Rosan, Sr. et al.

**d. There Has Been No *Prima Facie* Case of Obviousness Established**

As was discussed in the subject application as filed, various embodiments of the subject invention are directed to a bushing that is easy to manufacture and install and that does not detract from the aesthetic appearance of the wall or other structure to which it is attached. That is not the primary or even inherent focus of the Rosan, Sr. et al. and Rudolph devices. Therefore, for all of the foregoing reasons, Applicant respectfully submits that a *prima facie* case of obviousness has not been established with respect to claims 2, 4, 5 and 10-14 over Rosan, Sr. et al. in view of Rudolph. Accordingly, Applicant traverses these rejections.

Claims 15-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Rosan, Sr. et al. in view of Rudolph and in further view of Tschanz. As was discussed above, Applicant submits that Rosan Sr., et al. and Rudolph are not properly combinable. Applicant submits that Tschanz does not provide the requisite teaching to cure that deficiency. Therefore claim 15 and claims 17-18 that depend on claim 15 are patentable over these references. For

similar reasons, amended claim 19 and claims 20-22 that depend on claim 19 are patentable over these references.

Claims 7-9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Rosan, Sr. et al. in view of Rudolph and in further view of Applicant's disclosure. As was discussed above, Applicant submits that Rudolph and Rosan, Sr. et al. are not properly combinable. Accordingly, Applicant traverses this rejection.

**6. Conclusion**

Applicant submits that all of the pending claims are in condition for allowance. Accordingly, reconsideration and passage to allowance of the subject application at an early date are earnestly solicited. If the undersigned can be of assistance in advancing the subject application to allowance, the Examiner may contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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**Version With Markings to Show Changes Made**

**In the Specification**

The paragraph beginning on line 6, page 4 has been amended as follows:

In accordance with one form of the present invention, there is provided a cable feed bushing and method of installing a cable through a wall or other structure. In one embodiment, the bushing has a conically-shaped body and a head portion formed thereon. Threads or other retainer formations are provided on the exterior surface of the body portion to retain it in a hole provided in the wall. A cable-receiving passageway extends through the bushing to permit one or more cables to be passed therethrough. Installation formations may be provided on or in the head portion to facilitate installation of the bushing in a hole in the wall. The formations may enable a special tool to engage the head portion to apply a rotational force thereto.

The paragraph beginning on line 23 of page 4 has been amended as follows:

It is another feature of the present invention to provide a bushing that can be readily installed in a variety of structures [with] without the need for the installer to retain the bushing in position with an adhesive or while the adhesive cures.

The paragraph beginning on line 2 of page 12 has been amended as follows:

When employing materials that have a color that differs from the color of the wall or other structure, the entire bushing 110 or just the exposed head portion 114 may be painted or otherwise colored. For example, if the wall 150 is to be covered with wallpaper, the user may wish to cover the low profile head portion with a piece of wallpaper prior to or after the bushing 110 has been installed in the manners described above.

### **In the Claims**

Claim 2 has been cancelled.

Claims 1, 3, 4, 10, 12, 14, 15, and 19 have been amended as follows:

1. (Amended) A cable support apparatus, comprising:

a body portion;

a head portion having a first surface integrally attached to [on] one end of said body portion, said head portion having a second surface opposite to said first surface;

a passageway extending through said body portion and said head portion;

a retainer on an exterior surface of said body portion; and

[installation formations provided] at least two installation holes in said second surface of said head portion.

3. (Amended) The cable support apparatus of claim [2] 1 wherein said installation holes are diametrically opposed to each other.

4. (Amended) The cable support apparatus of claim [2] 1 further comprising an installation tool having engagement projections protruding therefrom corresponding to said holes in said head portion.

10. (Amended) An apparatus for supporting a cable [through a wall having an exterior surface with a color, said apparatus] comprising:

a conical body portion;



a low profile head portion having a first surface integrally attached to said body portion, said head portion having a second surface opposite to said first surface;

a passageway extending through said head portion and said body portion;

a spiral thread formed on an exterior surface of said body portion; and

a pair of holes in said second surface of said head portion.

12. (Amended) The apparatus of claim 10 further comprising a wall for receiving said conical body portion, said wall having an exterior surface with a color and wherein said second surface of said head portion has a color that is the same as the color of the exterior surface of the wall.

14. (Amended) The apparatus of claim 10 further comprising a wall for receiving said conical body portion therein said wall having [wherein the] an exterior surface [of the wall has] with a wall covering thereon and wherein said apparatus comprises a piece of the wall covering attached to said head portion.

15. (Amended) A method of installing a cable through a structure, said method comprising:

providing a bushing having a body portion having threads thereon and a distal end and a proximal end with a head portion integrally attached thereto [thereon], the head portion having a low profile and at least two cavities therein, the bushing further having a passageway extending through the body portion and the head portion;

providing a hole in the structure sized to receive the body portion of the bushing;

inserting the distal end of the bushing into the hole in the structure;

inserting engagement protrusions into the cavities in the head portion of the bushing and simultaneously applying a rotational force to the engagement protrusions to cause the bushing to be screwed into the hole in the structure;

removing the engagement protrusions from the cavities after the bushing has been screwed into the hole in the structure such that a rear surface of the head portion contacts the structure; and

inserting a cable into the passageway.

19. (Amended) A method of supporting a cable extending through a hole in a structure, said method comprising:

providing a bushing having a body portion having threads thereon and a distal end and a proximal end having a head portion integrally attached thereto [thereon], the head portion having a low profile and at least two cavities therein, the bushing further having a passageway extending through the body portion and the head portion;

inserting the cable through the passageway in the bushing;

inserting the distal end of the body portion into the hole in the structure;

inserting engagement protrusions into the cavities in the head portion of the bushing and simultaneously applying a rotational force to the engagement protrusions to cause the bushing to be screwed into the hole in the structure; and removing the engagement protrusions from the cavities after the bushing has been screwed into the hole in the structure such that a rear surface of the head portion contacts the structure.